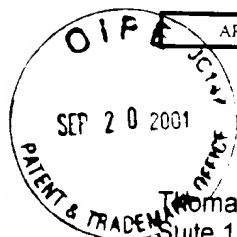




## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov



APPLICATION NUMBER

09/841,332

FILING RECEIPT DATE

04/24/2001

FIRST NAMED APPLICANT

David John Bishop

ATTORNEY DOCKET NUMBER

54-90-20-65

CONFIRMATION NO. 5973

## FORMALITIES LETTER

\*OC000000006200741\*

Thomas, Kayden, Horstemeyer & Risley, L.L.P.  
Suite 1750  
100 Galleria Parkway, N.W.  
Atlanta, GA 30339-5948

Adjustment date: 10/29/2001 MTEKLEMI  
09/21/2001 EABURAKI 00000081 122325 09841332  
01 FC:105 130.00 CR

Date Mailed: 06/19/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

THOMAS, KAYDEN,  
HORSTEMEYER & RISLEY, L.L.P.

The following item(s) appear to have been **omitted** from the application:

JUN 22 2001

- Figure(s) **15 and 16** described in the specification. *FILED 7-3-01-SEE ATT*

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition with \$130.00 petition fee (37 CFR 1.17(h)) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was received in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items) and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date) **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the

10/29/2001 MTEKLEMI  
10/29/2001 EABURAKI 00000081 122325  
01 FC:122

application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*

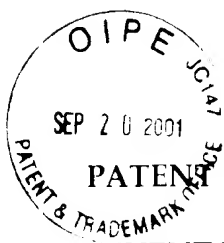


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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

INVENTORS:

David John Bishop  
Keith Wayne Goossen  
Dennis S. Greywall  
James Albert Walker

CASE: 54-90-20-65

\*\*\*\*\*

FIRST CLASS MAIL

These papers are being deposited  
as EXPRESS MAIL with the US  
POST OFFICE addressed to:  
ASSISTANT COMMISSIONER  
FOR PATENTS, WASHINGTON  
D.C., 20231  
by [Signature]  
date September 18, 2001  
\*\*\*\*\*

TITLE: IMPROVED MARS OPTICAL MODULATORS

SERIAL NO: 09/841,332

GROUP ART UNIT: NA

FILING DATE: 04/24/01

EXAMINER: NA

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

In response to the NOTICE TO FILE MISSING PARTS mailed 06/19/01 please  
find enclosed:

Declaration and Power Of Attorney  
Assignment and cover sheet  
Petition for Extension of Time for Reply

The fee for filing the missing parts, i.e. \$130., is authorized by this letter. The fee  
for the Petition is authorized in the Petition. In the event of non-payment or improper  
payment of a required fee, the Commissioner is authorized to charge or to credit  
**Deposit account No. 12-2325** as required to correct the error.

Please address all correspondence to **Thomas, Kayden, Horstemeyer & Risley, L.L.P.**,  
Suite 1750, 100 Galleria Parkway, N.W., Atlanta, Georgia 30339-5948. Telephone calls  
should be made to me at Area Code 757-258-9018.

Respectfully,

[Signature]  
Peter V.D. Wilde  
Reg. No. 19658

Date: SEP 18 2001

Thomas, Kayden, Horstemeyer & Risley, L.L.P.  
Suite 1750  
100 Galleria Parkway, N.W.  
Atlanta, Georgia 30339-5948